CITY OF DELAWARE
BOARD OF ZONING APPEALS
AGENDA

CITY COUNCIL CHAMBERS
1 S. SANDUSKY ST.
6:30 P.M.

REGULAR MEETING September 11, 2019

1. ROLL CALL

2. ELECTION OF OFFICERS

   A. Chairperson
   B. Vice-Chairperson

3. APPROVAL of the Motion Summary of the Board of Zoning Appeals meeting held on July 10, 2019, as recorded and transcribed.

4. REGULAR BUSINESS

   A. 2019-1913: A request by Ohio Wesleyan University for approval of a sign variance to Zoning Code Section 1165 for the Delaware Entrepreneurial Center at 70 South Sandusky Street on approximately 0.388 acres and zoned PO/I (Planned Office/Institutional District).

   B. 2019-1941: A request by Carl & Jennifer Reida for approval of a sign variance to Zoning Code Section 1165 for The Dipped Donut at 256 South Sandusky Street on approximately 0.75 acres and zoned B-3 (Community Business District).

5. BOARD MEMBER COMMENTS AND DISCUSSION

6. NEXT REGULAR MEETING: October 9, 2019

7. ADJOURNMENT

BOARD OF ZONING APPEALS
MOTION SUMMARY
July 10, 2019

ITEM 1. Roll Call

Vice-Chairman Junk called the meeting to order at 6:30 p.m.

Members Present: Beth Fisher, Adam Vaughn, Todd Daughenbaugh, Robert Whitmore, Councilman George Hellinger, and Vice-Chairman Paul Junk

Member Absent: Chairman Matt Dick

Staff Present: Jordan Selmek, Zoning Officer and Lance Schultz, Zoning Administrator

Motion to Excuse: Ms. Fisher motioned to excuse Chairman Dick, seconded by Mr. Vaughn. Motion approved by a 6-0 vote.

ITEM 2. ELECTION OF OFFICERS
A. Chairperson
B. Vice-Chairperson

Motion: Mr. Vaughn motioned to move election of officers to next meeting to allow for a full commission, seconded by Mr. Daughenbaugh. Motion approved by a 6-0 vote.

ITEM 3. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on April 10, 2019, as recorded and transcribed.

Motion: Mr. Daughenbaugh moved to approve the Motion Summary for the Board of Zoning Appeals held on April 10, 2019 meeting, seconded by Ms. Fisher. Motion approved by a 6-0.

Vice-Chairman Junk swore in the following participant from the public throughout the meeting:

Michael Hornberger
234 North Union Street
Delaware, Ohio

ITEM 4. REGULAR BUSINESS
A. 2019-1333: A request by Michael Hornberger for approval of a driveway setback variance to Zoning Code Section 1156.02 at 234 North Union Street on approximately 0.30 acres and zoned R-3 (One-Family Residential District)

Mr. Selmek reviewed the staff report and the applicant's proposal for an approximate 10 foot wide by 98 foot long driveway that would extend from North Union Street and be located along the north property line. The driveway would connect to a rear yard parking pad. Mr. Selmek provided information on the existing curb-cut off of North Union Street and will be updated according to the City Engineer.

APPLICANT:
Michael Hornberger
234 North Union Street
Delaware, Ohio

Motion: Ms. Fisher moved to approve 2019-1333, along with all staff conditions, finding beyond a reasonable doubt that the decision factor necessary for approval of a variance according to Chapter 1128 of the Planning and Zoning Commission are met, with the staff conditions as noted, seconded by Mr. Vaughn. Motion approved by a 6-0 vote.

ITEM 5. BOARD MEMBER COMMENTS AND DISCUSSION

ITEM 6. NEXT REGULAR MEETING: August 14, 2019.

ITEM 7. ADJOURNMENT

Motion: Mr. Vaughn moved to adjourn the Board of Zoning Appeals meeting, seconded by Mr. Daughenbaugh. The Board of Zoning Appeals meeting adjourned at 6:40 p.m.

_____
Matt Dick, Chairman

_____
Elaine McCloskey, Clerk

EST 1808
CITY OF
DELAWARE
OHIO

BOARD OF ZONING APPEALS / STAFF REPORT

CASE NUMBERS: 2019-1913
REQUEST: Variance
PROJECT: Delaware Entrepreneurial Center
MEETING DATE: September 11, 2019

APPLICANT/OWNER
Ohio Wesleyan University
70 South Sandusky Street
Delaware, Ohio 43015

REQUEST
2019-1913: A request by Ohio Wesleyan University for approval of a sign variance to Zoning Code Section 1165 for the Delaware Entrepreneurial Center at 70 South Sandusky Street on approximately 0.388 acres and zoned PO/I (Planned Office/Institutional District).

PROPERTY LOCATION & DESCRIPTION
The property is located at 70 South Sandusky just west of South Sandusky Street and just south of Spring Street within the Ohio Wesleyan University Campus. The zoning of the subject property is PO/I (Planned Office/Institutional District) as are the properties to the north, south, east and west.

BACKGROUND
Ohio Wesleyan University is proposing an internally illuminated wall sign on the east (fronting South Sandusky Street) and north elevations of the building on South Sandusky Street wrapping the corner of the structure. The applicant is requesting a wall sign that totals approximately 31 square feet fronting South Sandusky Street while the zoning code only permits 28.5 square feet (based on the 0.5 square per linear frontage of the building which is 57 feet wide). Also, the applicant is requesting the same type and amount of signage on the east and north elevations while the zoning code only permits one wall sign per street frontage or rear/side parking lot frontage. The Delaware Entrepreneurial Center is a professional career center that is a partnership between the City, County and University, but the property is owned by Ohio Wesleyan University.

STAFF ANALYSIS

- **VARIANCES:**
  - **Section 1165.06 (a) – Maximum Area of Signs**
    - A building sign in PO/I zoning district is permitted 0.5 square feet of sign area per linear frontage of the building along the primary street frontage.
      - The existing building is 57 feet wide which allows 28.5 square of sign area and the applicant is requesting approximately 31 square feet of sign area.
  - **Section 1165.06(b)(1)(iii)**
    - Each building unit shall be permitted one wall sign per street frontage or rear/side parking lot frontage. Not more than three wall signs shall be permitted on any one building.
      - The applicant is requesting wall signage on the east (South Sandusky Street) and north elevations. The existing building only has frontage on South Sandusky Street.
      - The wall signage on the north elevation would require a variance which would encompass approximately 31 square feet and would mirror the east elevation sign.

- **VARIANCE REVIEW:** In considering whether or not a Variance shall be granted, the Board of Zoning Appeals is required to consider certain factors to determine if a practical difficulty exists. As listed below, Section 1128.09(c)(1) of the Planning & Zoning Code sets forth these factors. Following each factor in italics is a brief Staff analysis.

  1. Whether the granting of the Variance would be in accord with the general purpose and intent of the regulations imposed by this Ordinance and the district in which it is located and shall not be injurious to the area or otherwise detrimental to the public welfare.

     The intent of the requirement for limiting the square footage of signs and the number of signs is to ensure such signage does not create a significant amount of distraction to pedestrian-oriented or auto-oriented consumers as well as to keep signage in proportion to the structures and lots. For a business, the intent of

such signage is to attract the attention of those same consumers. Additionally, the increase of approximately 31 square feet is minimal (approximately a 3 square foot increase above zoning requirements). When referencing the rendering, given the scale and appearance of this particular building, the proposed size and placement of the wall signage would appear overall to be in scale and in balance with overall building elevations. In addition, increase of 3 square feet is minimal in this application. Therefore, the Applicant is not proposing a type of sign that is contrary to the character of the surrounding district and the size of the wall sign proposed would not be disproportionate to the building on which they will be placed. Generally speaking, the proposed application will provide a desirable impact to the surrounding area.

2. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to non-conforming and inharmonious uses, structures or conditions.

   The subject building is owned by Ohio Wesleyan University and is on its own parcel, but the University could consolidate with the parcel to the north (60 South Sandusky Street) which technically would make this location a corner lot on Spring Street and by code would allow the proposed signage on both elevations. Also, in November 2014, the BZA approved a variance to allow projecting banners on the Ross Art Museum at 60 South Sandusky Street and the proposed signage would be consistent in creating an institutional campus environment in this area.

3. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the Variance. Mere loss in value or financial disadvantage to the property owner does not constitute conclusive proof of practical difficulty; there shall be deprivation of beneficial use of land.

   The property in question will continue to be used as such with or without approval of this Variance.

4. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the Variance.

   Although the request is not compliant with the sign regulations of the current zoning code in the PO/I zoning district, the character of the district would not likely be "substantially altered" nor would the "adjoining properties likely suffer substantial detriment" as a result of the requested Variances. The proposed signage would be consistent with a campus environment. Therefore, the Applicant is not proposing signage that is contrary or obtrusive to the character of the surrounding neighborhood.

5. Whether the Variance would adversely affect the delivery of governmental services such as water, sewer, or trash pickup.

   The delivery of governmental services, particularly emergency services, would not be impacted with approval of this Variance.

6. Whether the property owner purchased the property with knowledge of the zoning restrictions. Purchase without knowledge of restrictions in itself is not sufficient proof of practical difficulty.

   The Applicant performed due diligence prior to the proposal of wall signage on this building through inquiry of local requirements and was informed by City Staff that a Variance would be required to several sections of Chapter 1165.06 Signs In Non-Residential Districts of the City's Zoning Code.

7. Whether special conditions or circumstances exist as a result of actions of the owner.

   It is not likely any special conditions or circumstances occurred because of the actions of the owner.

8. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance.

   The Applicant has installed signage that complies with current code throughout campus. However, to achieve the strategic placement and exposure needed by the shared City, Count and, University building, the proposed aesthetically pleasing sign that would be in balance with the and to scale with the neighborhood would need a variance.

9. Whether there is evidence of Variances granted under similar circumstances.

   As mentioned above in November 2014, the BZA approved a variance to allow projecting banners on the Ross Art Museum at 60 South Sandusky Street and the proposal signage would be consistent in creating an institutional campus environment in this area.

10. Whether the granting of the Variance is necessary for the reasonable use of the land or building, and the Variance as granted is the minimum Variance that will accomplish that purpose.

    The property is currently zoned PO/I (Planned Office/Institutional) and will continue to be used as such with or without approval of this Variance. As a result, a Variance is not necessary for the reasonable use of the land.

11. Whether the proposed Variance would impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values of the adjacent area.

    The variance would not likely have an impact on any of the aforementioned issues.

12. Whether the granting of the Variance requested would confer on the applicant any special privilege that is denied by this regulation to other lands, structures or buildings in the same district.

    If the Board finds that the standards for approval of a Variance (with conditions) are met, then no special privilege is granted.

CONCLUSION

Although the proposed sign does not comply with the minimum requirements of the current zoning code, staff can justify the request for the following reasons: 1) The Applicant is not proposing signage that is contrary or obtrusive to the character of the surrounding or adjacent zoning districts. 2) The proposed signage will provide a desirable impact to the building and the surrounding district. The size and placement of the signage is in scale with the building 3) The proposed signage is typical identification signage for institutional campus settings and a downtown environment.

STAFF RECOMMENDATION – VARIANCE (2019-1913)

Staff recommends approval of a request by Ohio Wesleyan University for a sign variance to Zoning Code Section 1165 for the Delaware Entrepreneurial Center at 70 South Sandusky Street on approximately 0.388 acres and zoned PO/I (Planned Office/Institutional District), with the following conditions that:

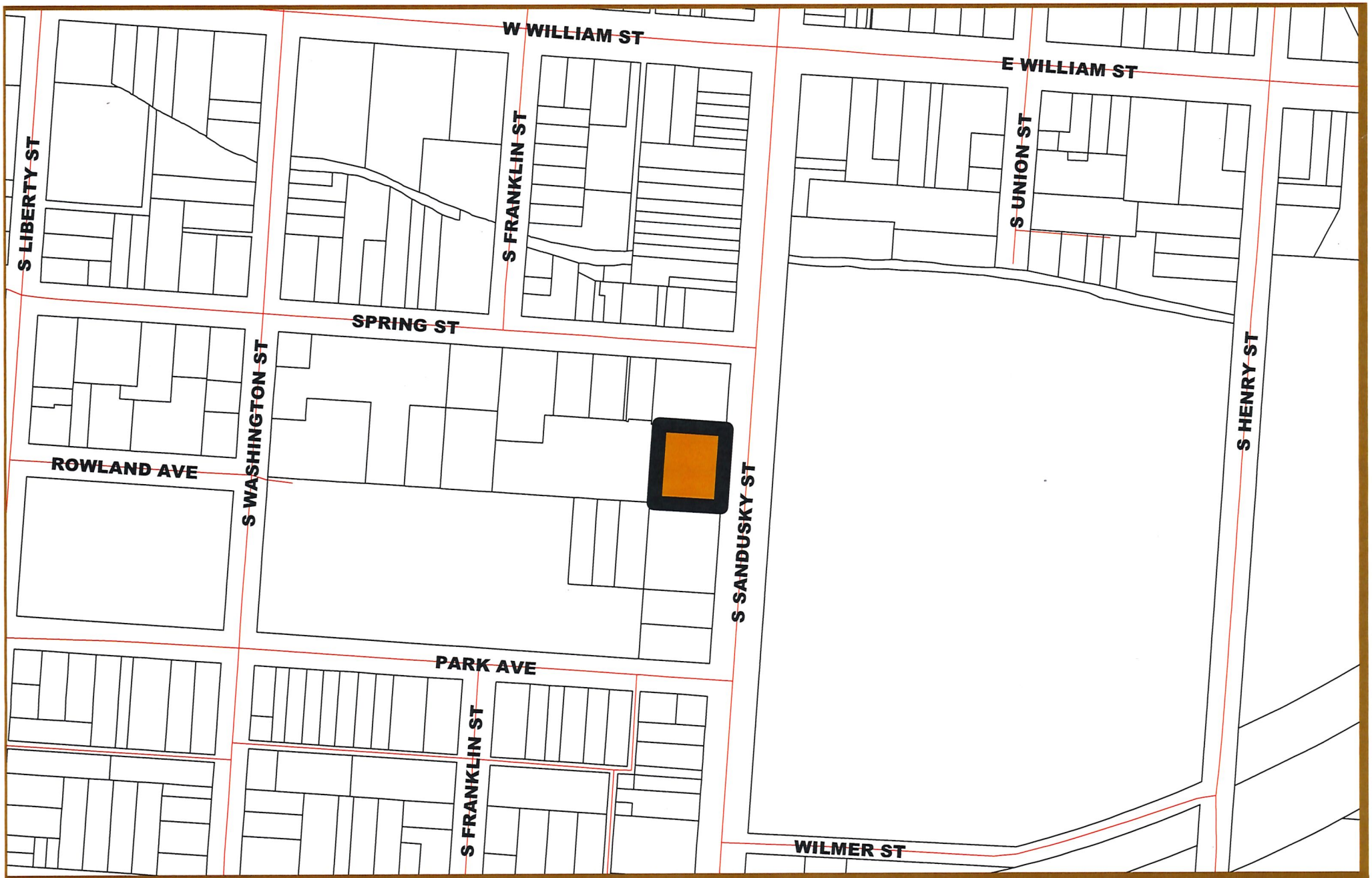
1. The square footage of the combined sign area on the north and east elevations shall not exceed 62 square feet (maximum 31 square feet per sign elevation).
2. The signs shall be placed at the location as depicted on the submitted plans.
3. No additional signage shall be added to the site and/or building without approval of a Variance.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 09/05/2019
REVISED:



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OHIO

2019-1913
Sign Variance
Delaware Entrepreneurial Center - 70 South Sandusky Street
Location Map

N

EST 1808
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OHIO

2019-1913
Sign Variance
Delaware Entrepreneurial Center - 70 South Sandusky Street
Zoning Map

N

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OHIO

2019-1913
Sign Variance
Delaware Entrepreneurial Center - 70 South Sandusky Street
Aerial (2016) Map

N

LETTERGRAPHICS
S·I·G·N C·O·M·P·A·N·Y

established 1976
GRAPHICS
SIGNAGE
IDENTITY DESIGN

Subject: Variance Request for
Delaware Entrepreneurial Center at OWU
70 S. Sandusky St.

Below, please find the two variance requests for the proposed sign at 70 S. Sandusky St.:

1) *Zoning code Schedule 1165.06(a)* states regarding square footage
"PO/I,O District, .5 square feet per lineal foot of building frontage be allowed."
The building frontage is 57 feet, allowing for 28.5 square feet of signage. Request increase in square footage to 31 square feet. The size of the sign was viewed as a minimum size based on visibility of the text on the sign. The overall size of the sign leaves the smallest text visible at just shy of 3.5" in height.

2) *Zoning Code 1165.06 (b) (1) A. 3.* States the following for wall signs:
"Each building permitted one wall sign per street frontage or rear/side parking lot frontage."
We request approval of a 'corner' sign. This is ***one sign*** viewable from the East and from the North. The variance would be for the 'second' sign facing the North. The two faces are actually connected into one corner sign, but technically, we have one sign facing towards the East and one sign face towards the North.

We have enclosed a check for $350.00. (300.00 for first variance, 50.00 for second)

Thank you,

Paul Magee
Sales Manager
330.224.0210

400 WEST MARKET ST. ORRVILLE, OHIO 44667 (330) 683-3903 FAX: (330) 684-2704
info@lettergraphicsinc.com www.lettergraphicsinc.com

Ohio
Wesleyan
University

Subject:
Variance Request for Delaware Entrepreneurial Center at OWU
70 S. Sandusky St.
Delaware, OH 43015

Dear Board of Zoning Appeals Members,

One of the things we love most about the City of Delaware is its combination of historical beauty and forward-thinking entrepreneurial spirit. The City is a great success on a local, state, and national level, and Ohio Wesleyan is proud to be part of such a vibrant community.

The Delaware Entrepreneurial Center is the first entrepreneurial center in the U.S. that was created through a partnership between City, County, and University. What is happening inside the four walls of this building is exciting and provides unique opportunities for entrepreneurial members of our campus, local community, and beyond.

We were inspired by the unique personalities evoked through the exterior signage of COhatch, Restoration Brew Worx, Old Dog Alehouse, and Bun's. And while maintaining a tasteful design that complements the nearby downtown streetscape, we would like the exterior sign of the Entrepreneurial Center to reflect the inventive activities within and pique the interest of those who see it.

We look forward to working with you on this project.

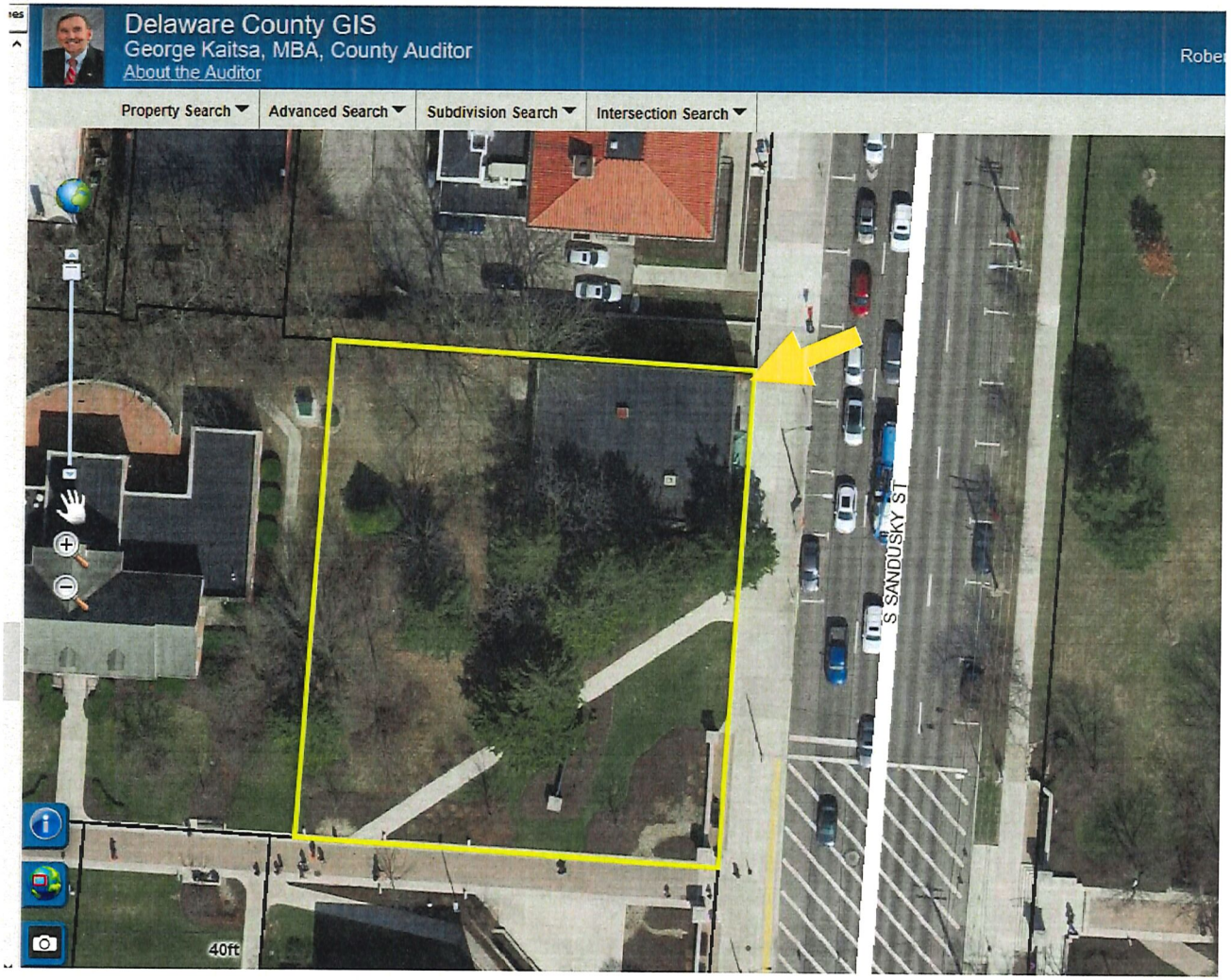
Sincerely,

Sara Stuntz
Office of University Communications

61 S. Sandusky St., Delaware, OH, 43015 Phone: (740) 368-2000 Web: www.owu.edu

PROPOSED SIGNAGE FOR Delaware Entrepreneurial Center/OWU

Sign location



Job No. _____

Signature _____

Date _____

☐ OK as is

☐ OK with change

☐ Show revise

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PROPOSED SIGNAGE FOR Delaware Entrepreneurial Center/OWU

Job No. _____

Signature _____

Date _____

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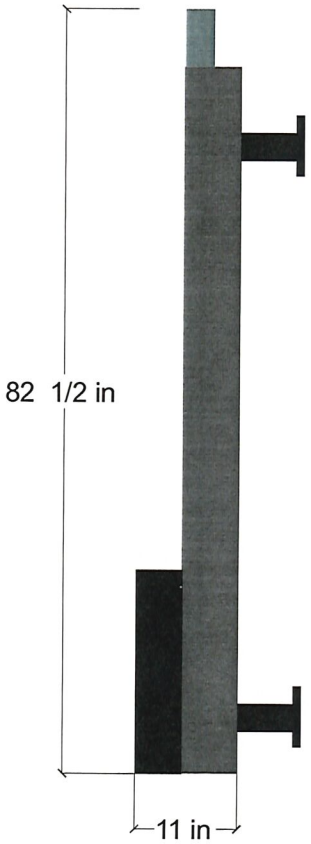
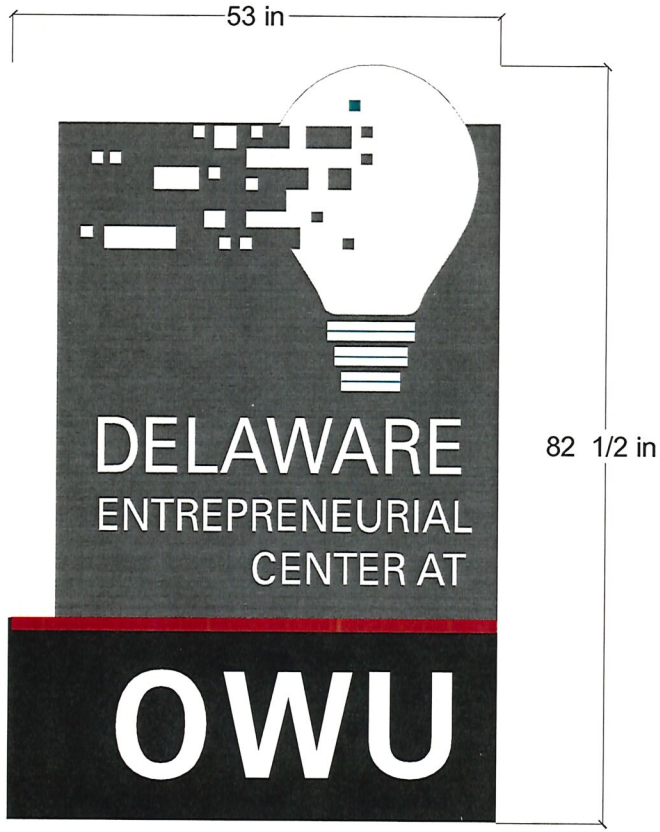
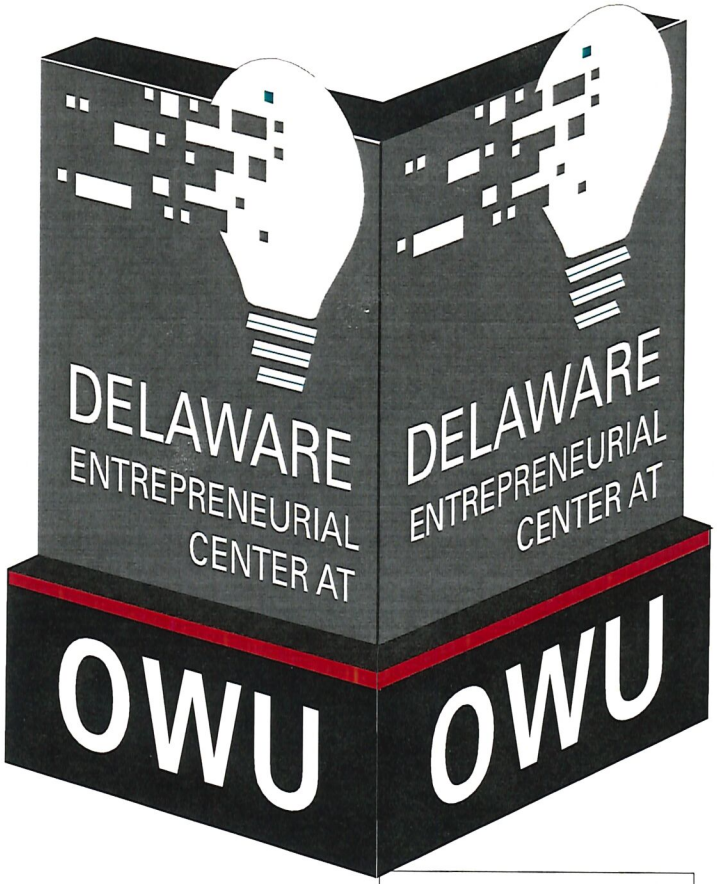
PROPOSED SIGNAGE FOR Delaware Entrepreneurial Center/OWU







Staid Gray Metallic

MP# 32195

CMYK
60 / 53 / 49 / 20

RGB
102 / 101 / 104

Job No. _____

Signature _____

Date _____

☐ OK as is
☐ OK with change
☐ Show revise

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PROPOSED SIGNAGE FOR Delaware Entrepreneurial Center/OWU

SIDE VIEW

Sandusky St. (front side)
East elevation

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CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM

EST 1808 CITY OF DELAWARE OHIO

Project # _____ Case # _____

Planning Commission

- ☐ Amended Final Development Plan
- ☐ Amended Final Subdivision Plat
- ☐ Amended Preliminary Development Plan
- ☐ Amended Preliminary Subdivision Plat
- ☐ Annexation Review
- ☐ Combined Preliminary & Final Development Plan
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
- ☐ Determination of Similar Use
- ☐ Development Plan Exemption
- ☐ Final Development Plan
- ☐ Final Development Plan Extension
- ☐ Final Subdivision Plat
- ☐ Final Subdivision Plat Extension
- ☐ Floodplain Permit
- ☐ Lot Split
- ☐ Pre-annexation Agreement
- ☐ Preliminary Development Plan
- ☐ Preliminary Dev Plan Extension
- ☐ Preliminary Sub Plat
- ☐ Preliminary Sub Plat Extension
- ☐ Rezoning
- ☐ Subdivision Variance
- ☐ Substitution of a Non- Conforming Use
- ☐ Vacation-Alley
- ☐ Vacation-Easement
- ☐ Vacation-Street

Board of Zoning Appeals

- ☐ Appeal Administrative Decision or Interpretation
- ☐ Conditional Use Permit
- ☐ Substitution of Equal or Less Non-Conforming Use
- ☒ Variance

Subdivision/Project Name Delaware Entrepreneurial Center at OWU Address 70 S. Sandusky St.

Acreage _____ Square Footage _____ Number of Lots _____ Number of Units _____

Zoning District/Land Use PO/I Proposed Zoning/Land Use _____ Parcel # 519-433-07-017-000

Applicant Name LetterGraphics, Inc. Contact Person Paul Magee

Applicant Address 400 W. Market St. Orrville, OH 44667

Phone 330.683.3903 Fax 330.684.2704 E-mail PaulM@LetterGraphicsInc.com

Owner Name TR Ohio Wesleyan University Contact Person Sara Stuntz

Owner Address 70 S. Sandusky St.

Phone 740.368.3336 Fax _____ E-mail shstuntz@owu.edu

Engineer/Architect/Attorney _____ Contact Person _____

Address _____

Phone _____ Fax _____ E-mail _____

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Megan Ellis

Owner Signature — Owner Printed Name

Agent signature on separate application

Agent Signature — Agent Printed Name

Sworn to before me and subscribed in my presence this 27 day of August, 2019.

Joni L. Garloch

Notary Public

Notary Stamp

NOTARIAL SEAL STATE OF OHIO

JONI L. GARLOCH
NOTARY PUBLIC
STATE OF OHIO
MY COMMISSION EXPIRES
8/1/2024

EST 1808
CITY OF
DELAWARE
OHIO

BOARD OF ZONING APPEALS / STAFF REPORT

CASE NUMBERS: 2019-1941
REQUEST: Variance
PROJECT: 256 South Sandusky Street
MEETING DATE: September 11, 2019

APPLICANT/OWNER
Carl & Jennifer Reida
256 South Sandusky Street
Delaware, Ohio 43015

REQUEST
2019-1941: A request by Carl & Jennifer Reida for approval of a sign variance to Zoning Code Section 1165 for The Dipped Donut at 256 South Sandusky Street on approximately 0.75 acres and zoned B-3 (Community Business District).

PROPERTY LOCATION & DESCRIPTION
The property is located west of South Sandusky Street, north of London Road and south of West Harrison Street. The property is zoned B-3 (Community Business District) as are the properties to the north, east and south. The properties to the west are zoned R-4 (Medium Density Residential District) and B-1 (Neighborhood Business District).

BACKGROUND
The applicant has recently started operating a donut shop at 256 South Sandusky Street, but has had trouble properly notifying potential customers and delivery trucks of their location. This building has had several uses within the building in the past with the primary business being a long-standing laundromat with a large awning sign out front indicating as such, but the new business (located on the side of the building) is in need of ground signage. The applicant had applied for a sign permit in order to construct a freestanding monument sign, however, the original proposal would have eliminated several parking spaces and likely encroached into the sight distance triangle. Due to site constraints, the only plausible location for a freestanding monument sign that would not take away parking spaces or impede the sight distance triangle is within the property's northern tree line. This would put the freestanding monument sign immediately adjacent to the property line. At this time the applicant is not sure if the proposed sign will be internally illuminated or not. Staff has encouraged this variance application given the unusual circumstances and after working to help find a suitable location for the sign with the applicant and other City Departments.

STAFF ANALYSIS

- **VARIANCE:**
  - **Section 1165.06 (b) (1) (B) (iv) Signs in Non-Residential Districts – Freestanding Identification Signs**
    - Freestanding Sign: A sign attached to the ground or a structure which is intended and designed only to support the sign and which is permanently embedded in the ground or anchored in concrete. A freestanding sign is also known as a monument sign or pole sign.
    - A freestanding monument sign shall not be located closer than 10 feet to any property line.
      - The proposed sign is located on the property line (zero-foot setback from the right of way).

- **VARIANCE REVIEW:** In considering whether or not a Variance shall be granted, the Board of Zoning Appeals is required to consider certain factors to determine if a practical difficulty exists. As listed below, Section 1128.09(c)(1) of the Planning & Zoning Code sets forth these factors. Following each factor in italics is a brief Staff analysis.

  1. Whether the granting of the Variance would be in accord with the general purpose and intent of the regulations imposed by this Ordinance and the district in which it is located and shall not be injurious to the area or otherwise detrimental to the public welfare.

     Approval of the Variance is in accordance with the purpose and intent of the Ordinance as it would be considered inconsequential and would not likely be detrimental to the public welfare. The Zoning Code

limits square footage, height, and location of signs to ensure such signage does not create a negative distraction to vehicular traffic and the health, safety and general welfare of the community. When referencing the proposed signage, given the scale and appearance of this building, the placement of the proposed freestanding monument sign would appear to be in the only appropriate location while providing visibility and direction to the business in question located on the side of the building. Therefore, the applicant is not proposing a type of sign that is contrary to the character of the surrounding area if the sign achieves compliance with all the other minimum zoning requirements.

2. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to non-conforming and inharmonious uses, structures or conditions.

   At the time of its original development the subject site met Zoning Code requirements, however, the subject site has a parking lot that extends past the property line (right of way) along South Sandusky Street. The lack of a parking lot setback, which is a typical requirement in today's Zoning Code, prevents a freestanding monument sign along South Sandusky Street to adequately meet the minimum setbacks.

3. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the Variance. Mere loss in value or financial disadvantage to the property owner does not constitute conclusive proof of practical difficulty; there shall be deprivation of beneficial use of land.

   The property in question will continue to be used as such with or without approval of this Variance.

4. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the Variance.

   Although the request is not compliant with the sign code requirements for a freestanding monument sign, the character of the neighborhood would not likely be "substantially altered" if a freestanding monument sign was located on the property line. South Sandusky Street is rich with development which has led to the installation of many freestanding signs throughout the corridor (some of the freestanding signs were constructed prior to the current zoning requirements). While the location of the proposed freestanding monument sign does not meet the Zoning Code, the proposed monument sign with a limestone base does uphold the approved Gateways and Corridors Design Standards. The design of the proposed sign has a greater impact to the neighborhoods character than the location of the proposed sign in this instance.

5. Whether the Variance would adversely affect the delivery of governmental services such as water, sewer, or trash pickup.

   The delivery of governmental services, particularly emergency services, would not be impacted with approval of this Variance.

6. Whether the property owner purchased the property with knowledge of the zoning restrictions. Purchase without knowledge of restrictions in itself is not sufficient proof of practical difficulty.

   The applicant has owned the property and operated successful businesses for several years with only building signage but the location of the new business, with lack of exposure to South Sandusky Street, necessitates the need for a freestanding monument sign. However, it is unknown to Staff if the applicant was aware of the site constraints related to constructing a freestanding monument sign.

7. Whether special conditions or circumstances exist as a result of actions of the owner.

   It is not likely any special conditions or circumstances occurred because of the actions of the owner.

8. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance.

   The applicant could not likely construct sufficient freestanding signage on the subject parcel along South Sandusky Street. Any alternate location not only would remove existing parking spaces to the site that currently meets the minimum parking spaces requirement for the existing land uses but would likely decrease adequate visibility for vehicles.

9. Whether there is evidence of Variances granted under similar circumstances.

Staff has identified at least two Variances that have approved a freestanding sign to be within 10 feet of the property line. In 2002 a Variance (BZA 02-017) was approved at 140 North Sandusky Street for the Rutherford B. Hayes County Services Sign and in 2006 a Variance (BZA 06-010) was approved at 400 West Central Avenue for Lil Bella's monument sign.

10. Whether the granting of the Variance is necessary for the reasonable use of the land or building, and the Variance as granted is the minimum Variance that will accomplish that purpose.

    The property is currently zoned B-3 (Community Business District) and will continue to be used as such with or without approval of this Variance. As a result, a Variance is not necessary for the reasonable use of the land.

11. Whether the proposed Variance would impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values of the adjacent area.

    The variance would not likely have an impact on any of the aforementioned issues.

12. Whether the granting of the Variance requested would confer on the applicant any special privilege that is denied by this regulation to other lands, structures or buildings in the same district.

    If the Board finds that the standards for approval of a Variance (with conditions) are met, then no special privilege is granted.

CONCLUSION

Staff would strongly recommend approval of the subject variance for the following reasons: 1.) The proposed freestanding monument sign would be compatible with the existing commercial signage in the corridor along South Sandusky Street and would not be located within the required site distance triangle; 2). The subject site achieved compliance with Zoning Code requirements at the time the site was developed which has led to unique site constraints; 3). Other sites within the City have been granted a Variance under similar circumstances (located within the setback); 4). The subject freestanding monument sign would have to achieve compliance with all other zoning requirements (size, height, location, etc.)

STAFF RECOMMENDATION – VARIANCE (2019-1941)

Staff recommends approval of a request by Carl & Jennifer Reida for a sign variance to Zoning Code Section 1165 for The Dipped Donut at 256 South Sandusky Street on approximately 0.75 acres and zoned B-3 (Community Business District), with the following conditions that:

1. If the proposed sign is illuminated, the illumination shall be internal and the proper building permit shall be secured before installation.
2. The applicant shall install bollards or parking blocks between the freestanding monument sign and the parking lot for safety reasons.
3. The applicant shall remove the existing approved temporary sign before installing the freestanding monument sign.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

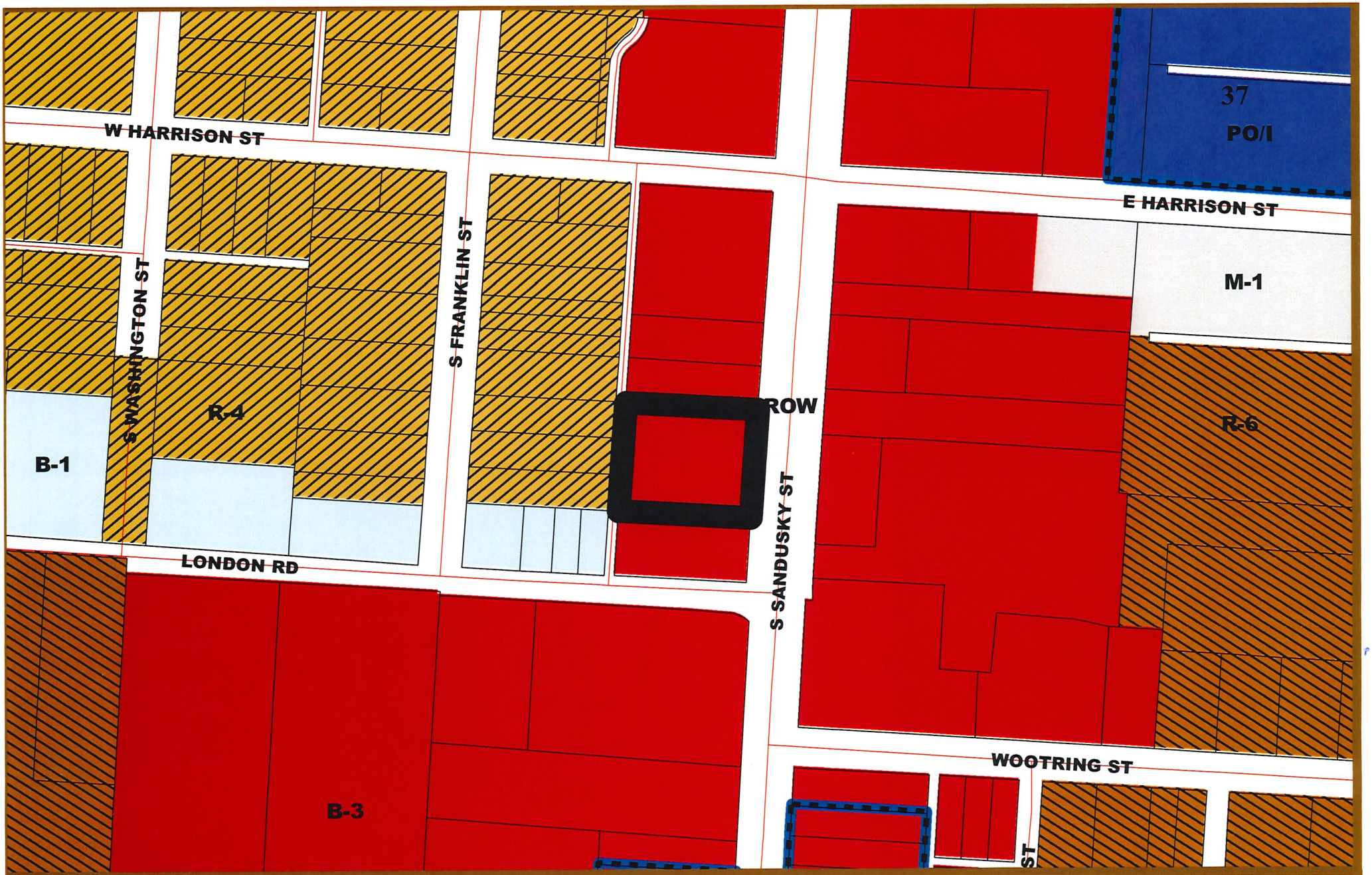
CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 09/05/2019
REVISED:

EST 1808
CITY OF
DELAWARE
OHIO

2019-1941
Sign Variance
The Dipped Donut - 256 South Sandusky Street
Location Map

N



EST 1808
CITY OF
DELAWARE
OHIO

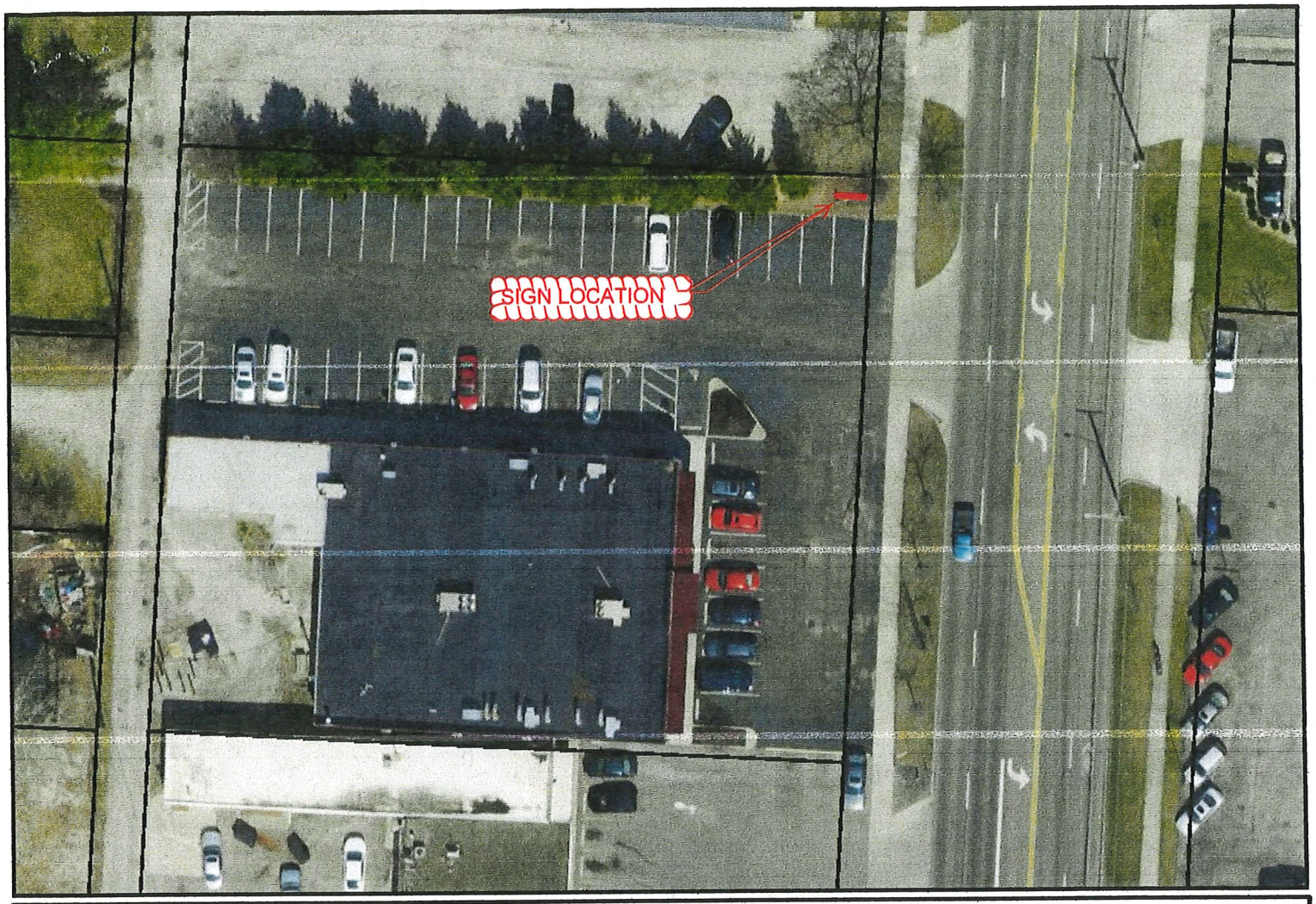
2019-1941
Sign Variance
The Dipped Donut - 256 South Sandusky Street
Zoning Map

N

EST 1808
CITY OF
DELAWARE
OHIO

2019-1941
Sign Variance
The Dipped Donut - 256 South Sandusky Street
Aerial (2016) Map

N



DIPPED DONUT MNMNT SIGN

Delaware County Auditor
George Kaitsa

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County.
Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy
or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a "legal description" of a parcel.
Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201).
Please report any errors or omissions to the Delaware County Auditor's office at delcogis@co.delaware.oh.us.
Prepared by: Delaware County Auditor's GIS Office

Printed on 5/26/2019

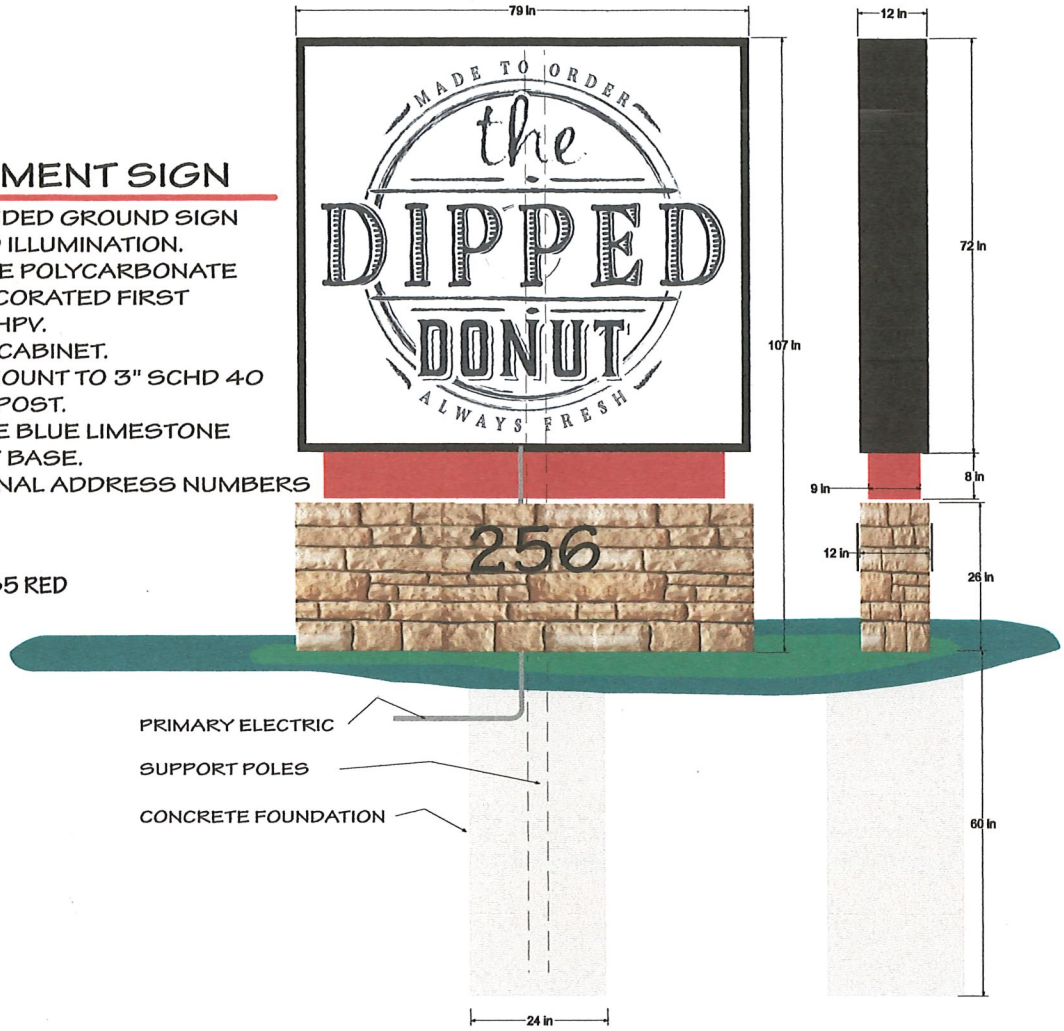
N
W E
S

0 15 30 60 ft

MONUMENT SIGN

DOUBLE SIDED GROUND SIGN
WHITE LED ILLUMINATION.
FLAT WHITE POLYCARBONATE
FACES DECORATED FIRST
SURFACE HPV.
12" DEEP CABINET.
SADDLE MOUNT TO 3" SCHD 40
SUPPORT POST.
DELAWARE BLUE LIMESTONE
MASONRY BASE.
DIMENSIONAL ADDRESS NUMBERS

- WHITE
- BLACK
- PMS 185 RED



MOORE SIGNS

Westerville, Ohio 614.882.1110 www.mooresigns.biz

DPD DONUT GRND PRMT
5.26.19 MOE
8.15.19 ADDRESS # ADDED

PERMIT

256 S SANDUSKY ST

519-433-19-018-000 Print

General Info | Tax | Transfer History | Value History | Land | Improvements | Tax Distribution | Photos | Levy | Tax Estimator | Map

Auditor's Home Page
Owner Search
Address Search
Parcel Number Search
GIS Property Search
Auditor Forms
Tax Estimator
GIS Map Information
Recorder's Office
County Home Page
Online Help
Contact Us
Tutorial
Auditor Query Builder
Auditor's County Page

Property Report
Sex Offender Search

Follow the Auditor's Office

Property Information

Parcel Number	519-433-19-018-000	Property Address:
Owner Name	REIDA CARL J JENNIFER I	256 S SANDUSKY ST
Owner Address	256 S SANDUSKY ST DELAWARE OH 43015	DELAWARE OH 43015
Tax District	14 DELAWARE CORP	
School District	2103 DELAWARE CSD	
Neighborhood	14202 Del Corp 202	Tax Payer Address:
Use Code	429 Other retail structures	2009
Acres	0.75000	140 N SANDUSKY ST DELAWARE OH 43015 USA
Description	LOTS 383-386	

Assessment Info		Current Value		Recent Transfer	
Board of Revision	N	Mkt Land Value	$235,200		
Homestead/Disability	N	CAUV	$0	# Parcels	3
Owner Occ Credit	N	Mkt Impr Value	$237,800	Deed Type	Warranty Deed
Divided Property	N	Total	$473,000	Amount	$444,000
New Construction	N	**Current Tax**		Sale Date	2/22/2002
Foreclosure	N	Tax Due	$12,536.32	Conveyance	735
Other Assessments	N	Paid To Date	$12,536.32	Deed #	
Front Ft.	N	Current Balance Due	$0.00		

<< Previous Card | Card 1 of 1 | Next Card >>

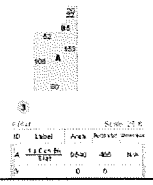
454 Auto Sales & Service Building Section 001 Occupancy 001

Year Built	1948	Year Remodel	2002	Occupancy	353 Retail Store
# Stories	1	Story Height	14	Use Code	454 Auto Sales & Service
Section Area	9400	Perim/Shape	459		

Card - 1

Property Sketch and Photos -- Card 1

Property Sketch



Print Version

Property Photos

Last Updated: 8/16/2019

Click here for Legal Disclaimer

CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM

EST 1808 CITY OF DELAWARE OHIO

Project # _____ Case # 2019-1941

Planning Commission

- ☐ Amended Final Development Plan
- ☐ Amended Final Subdivision Plat
- ☐ Amended Preliminary Development Plan
- ☐ Amended Preliminary Subdivision Plat
- ☐ Annexation Review
- ☐ Combined Preliminary & Final Development Plan
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
- ☐ Determination of Similar Use
- ☐ Development Plan Exemption
- ☐ Final Development Plan
- ☐ Final Development Plan Extension
- ☐ Final Subdivision Plat
- ☐ Final Subdivision Plat Extension
- ☐ Floodplain Permit
- ☐ Lot Split
- ☐ Pre-annexation Agreement
- ☐ Preliminary Development Plan
- ☐ Preliminary Dev Plan Extension
- ☐ Preliminary Sub Plat
- ☐ Preliminary Sub Plat Extension
- ☐ Rezoning
- ☐ Subdivision Variance
- ☐ Substitution of a Non- Conforming Use
- ☐ Vacation-Alley
- ☐ Vacation-Easement
- ☐ Vacation-Street

Board of Zoning Appeals

- ☐ Appeal Administrative Decision or Interpretation
- ☐ Conditional Use Permit
- ☐ Substitution of Equal or Less Non-Conforming Use
- ☒ Variance

RECEIVED AUG 19 2019 CITY OF DELAWARE PLANNING & COMMUNITY DEV.

Subdivision/Project Name The Dipped Donut Address 256 S. Sandusky St.

Acreage _____ Square Footage _____ Number of Lots _____ Number of Units _____

Zoning District/Land Use _____ Proposed Zoning/Land Use _____ Parcel # _____

Applicant Name Jeni & Carl Reida Contact Person Carl Reida cell 614-596425

Applicant Address 256 S. Sandusky St. Delaware O 43015

Phone 614.832.7015 Fax 740.362.5580 E-mail thedippeddonut@gmail.com

Owner Name Same as above. Contact Person _____

Owner Address _____

Phone 6148327015 Fax 740.362 5580 E-mail thedippeddonut@gmail.com

Engineer/Architect/Attorney _____ Contact Person _____

Address _____

Phone _____ Fax _____ E-mail _____

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Owner Signature _____ Owner Printed Name Jeni Reida

Agent Signature _____ Agent Printed Name _____

Sworn to before me and subscribed in my presence this 19th day of August, 2019

Notary Stamp NOTARIAL SEAL STATE OF OHIO

TONI M. CAMOIN
Notary Public, State of Ohio
My Commission Expires
09/07/2021

Notary Public Toni M. Camoin

s/planning/forms